

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Case No. 10-cv-534-PB

James M. Cassidy d/b/a
James M. Cassidy, CPA

REPORT AND RECOMMENDATION

In an order dated May 3, 2011, the court granted plaintiff's motion to compel post-judgment discovery and ordered defendant to appear before the court on May 24, 2011, for a hearing to establish a schedule for periodic payment of the judgment (doc. no. 12). In accordance with the May 3 order, a hearing was held on May 24, 2011. Michael T. McCormack appeared for plaintiff; defendant did not appear. At the hearing, Mr. McCormack indicated that his office had forwarded a copy of the May 3 order to defendant's last known address. Before the close of the hearing, Mr. McCormack filed, in-hand with the court, a motion seeking an order for defendant to "show cause" why he should not be held in contempt for his failure to appear. I recommend that the motion be granted and the defendant be ordered to appear to show cause why he should not be found in civil contempt.

Any objections to this Report and Recommendation must be filed within fourteen (14) days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's order. See Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010); United States v. Lugo Guerrero, 524 F.3d 5, 14 (1st Cir. 2008).



Landya B. McCafferty
United States Magistrate Judge

Date: May 25, 2011

cc: Michael T. McCormack, Esq.
James M. Cassidy